



Town of Wyoming
Council Meeting
Wyoming Town Annex
October 3, 2011
7:30 P.M.

REGULAR TOWN COUNCIL MEETING

CALL TO ORDER – Mayor Rife called the Meeting to order at 7:31 p.m.

PLEDGE – Mayor Rife

MOMENT OF SILENCE FOR OUR TROOPS – Mayor Rife

Council attending: Mayor Dale Rife, Vice-Mayor Terry Witt, Secretary Jacqueline Stokes, Councilwoman Tracy Greenwood

Council absent: Georgette Williams

Mr. Witt moved to excuse Ms. Williams from the meeting as she had another important commitment which she had to attend. Ms. Stokes seconded the motion. All in favor; none opposed.

Staff attending: Town Clerk Pamela Haddick, Police Lieutenant Martin Willey

Audience attending: Richard & Joyce Stockslager, Elaine Bilow, Carol & Gene McFann, Alex Paitzel, Jesse Swartzentruber, Louise Fair, Mike Quinn, Mike Marasco

ADOPTION OF AGENDA

- Ms. Greenwood requested adding Chief of Police to the agenda. Mayor Rife stated that this could not be added at the time of the meeting because it was not an issue that just came up. It will be added to November's meeting. *Ms. Stokes made a motion to adopt the agenda. Mr. Witt seconded the motion. All in favor; none opposed.*

ADOPTION OF PREVIOUS MEETING MINUTES

- Ms. Stokes stated that she found a mistake on page 2 of the September 12th minutes. The Police Report should have said August, not June. *Ms. Stokes made a motion to approve the previous month's minutes as follows with the correction to September 12th:*
091211 Council Meeting
091211 Executive Session
092011 Special Council Meeting
Mr. Witt seconded the motion. All in favor; none opposed.

TREASURER'S REPORT

- In Ms. Williams' absence, Mayor Rife introduced the Treasurer's Report.
- Mayor Rife stated that the journal entries are done by the auditors; however, Ms. Williams had no time to review them. She asked to table this until November. *Mr. Witt motioned to table the Treasurer's Report until November. Ms. Stokes seconded the motion. All in favor; none opposed.*
- Mayor Rife explained that we are trying to get a quote from Blue Cross for health insurance. In order for Blue Cross to give a quote to Lyons (who is our broker for all other insurance) we have to send a letter stating that Council has made Lyons our broker for health insurance as well. *Mr. Witt made a motion seconded by Ms. Stokes to make Lyons our broker. All in favor; none opposed.*

POLICE REPORT – LT. MARTIN WILLEY

- Lt. Willey gave the police report for September. The written report is part of the packet.
- He also reported that the COPS Grant had serious cuts this year. Only 9% were granted. Wyoming was not denied but is on the list for next year due to the cuts.

FIRE COMPANY REPORT

- Mr. Fred Jester was present to give the Fire Co. report. In August there were 64 alarms and 191 ambulance runs. In September there were 48 alarms and 226 ambulance runs. On Saturday, October 8th the Fire Company will be having their annual dinner; on November 12th will be their annual craft show and bake sale.

PLANNING & ZONING

- There was no one present to give a report.

BUILDING INSPECTOR REPORT/ CODE VIOLATION REPORT

- The open building permit report is in the packets.
- Mr. Snyder went over the public nuisances with Council as follows:
 - 32 S. Caesar Rodney Avenue – yard – *Mr. Witt made a motion seconded by Ms. Stokes to contact the attorney and move to the next step. All in favor; none opposed.*
 - 38 S. Caesar Rodney Avenue – yard – *Mr. Witt made a motion seconded by Ms. Stokes to contact the attorney and move to the next step. All in favor; none opposed.*
 - 8 S. Layton Avenue – porch, garage & yard – violations are taken care of. Send thank you letter.
 - 12 S. Layton Avenue – yard – most cleanup is done – send letter specifying the 4 items still left to be completed and a thank you for everything else. Council will revisit these items at the November 7th Council Meeting. *Mr. Witt made a motion seconded by Ms. Stokes to revisit in November. All in favor; none opposed.*
 - 122 E. Broad Street – yard & porch – *Mr. Witt made a motion seconded by Ms. Stokes to contact the attorney and move to the next step. All in favor; none opposed.*

C/W SEWER & WATER REPORT

- Mr. Mike Quinn reported that Mr. Gharebaghi met with the Mayor and someone from DNREC over the drainage problem on S. Layton Avenue.
- At the last meeting of the Authority their budget was passed – some savings will be passed on to the residents.

PARK/STREET REPORT

- Mr. Terry Witt reported that the Park has had a good season. Some discussion ensued referencing charging for the use of the pavilion in the future.
- Council is investigating the parking issue on Grant Street.
- Council is also looking into the drainage issue on S. Layton. DNREC has met with the mayor and members of the CWSWA.
- Delmarva Power is about to begin a huge project in Wyoming. They will be replacing many of our poles and eventually doing away with the substation on Southern Boulevard. Some sidewalks will be torn up but they have assured us that they will all be replaced with equal or better sidewalks than what we have now.
- Parking on CR Avenue was discussed. Mr. Witt has a drawing that he passed around to Council showing where the “no parking” signs need to be placed. With the new entrance to the W. B. Simpson School being directly across from CR Avenue and the congestion caused by the employees of the post office parking on CR Avenue, a very dangerous situation has evolved. He is still trying to contact Rodney Mitchell to get permission for the post office employees to park on his property behind the post office. We will do a resolution on this in November.

OLD BUSINESS

- Second readings and adoptions of the following ordinances were done:
 - Repeal of Ordinance #01-07 An Ordinance Pertaining to the Publishing of Ordinances or Resolutions relating to the government of the Town of Wyoming – *Mr. Witt made a motion seconded by Ms. Stokes to repeal this ordinance. All in favor; none opposed.*
 - Ordinance #1-11 An Ordinance Governing the Adoption, Amendment, or Repeal of Ordinances - *Ms. Stokes made a motion seconded by Ms. Greenwood to adopt this ordinance. All in favor; none opposed.*
 - Repeal of Ordinance #18-07 An Ordinance Prohibiting Excessive Noise within the Town of Wyoming and Providing Penalties for Violations Thereof – *Ms. Stokes made a motion seconded by Mr. Witt to repeal this ordinance. All in favor; none opposed.*
 - Ordinance #2-11 An Ordinance Regulating Excess Noise in the Town of Wyoming. *Ms. Stokes made a motion seconded by Ms. Greenwood to adopt this ordinance. All in favor; none opposed.*
 - Ordinance #3-11 An Ordinance Governing the Acceptance of Streets and Related Utilities into the Town Limits of the Town of Wyoming – *Ms. Greenwood made a motion seconded by Ms. Stokes to adopt this ordinance. All in favor; none opposed.*
 - Repeal of Ordinance #8-07 An Ordinance Establishing Regulations for the Town of Wyoming Park and Providing Penalties for Violations Thereof, Ordinance #28 of the Town of Wyoming Amendment No. 1, Ordinance #28 of the Town of Wyoming Amendment No. 2, and Ordinance #28 of the Town of Wyoming Amendment #3 – *Mr. Witt made a motion seconded by Ms. Stokes to repeal this ordinance and amendments. All in favor; none opposed.*
 - Ordinance #4-11 An Ordinance Establishing Regulations for the Town of Wyoming Park and Providing Penalties for Violations Thereof – *Ms. Stokes made a motion seconded by Ms. Greenwood to adopt this ordinance. All in favor; none opposed.*
 - Repeal of Ordinance #6-07 An Ordinance Providing for the Condemnation of Certain Structures and Providing a Penalty for Violation Therefor – *Ms. Stokes*

made a motion seconded by Ms. Greenwood to repeal this ordinance. All in favor; none opposed.

- Ordinance #5-11 An Ordinance Governing Dangerous Buildings and Structures – *Mr. Witt made a motion seconded by Ms. Stokes to adopt this ordinance. All in favor; none opposed.*
- Repeal of Ordinance #19-07 An Ordinance Concerning the Regulation of Rates Charged by Cable Television Operators – *Ms. Stokes made a motion seconded by Ms. Greenwood to repeal this ordinance. All in favor; none opposed.*

NEW BUSINESS

- Due to the fact that the content of the following ordinance was approved at the September 20, 2011 Special Meeting it was suggested that the readings of this ordinance be waived. *Mr. Witt made a motion seconded by Ms. Stokes to waive the readings of the following ordinance. Mr. Witt, Aye. Ms. Stokes, Aye. Ms. Greenwood, Aye. Ms. Rife, Aye.*
 - Amend Ordinance #10-07 An Ordinance Establishing Business Licenses within the Town of Wyoming to Update Business License Fees, The Interest Rate on Delinquent Fees, and the Definition of Peddler – *Ms. Stokes made a motion seconded by Ms. Greenwood to adopt the amendment to this ordinance. All in favor; none opposed.*
- Mayor Rife read the synopsis from each of the following eight ordinances that have been drafted for Wyoming. Second reading and adoption will be scheduled for the November meeting. These ordinances are as follows:
 - Repeal of Ordinance #8 An Ordinance Defining the Nuisance Caused by the Keeping of Livestock or the Running at Large of Poultry or Livestock within the Limits of the Town of Wyoming and Providing a Penalty Therefor Including Amendment #1 and Amendment #2
 - Ordinance #6-11 An Ordinance Regulating the Keeping of Livestock or Poultry and the Running at Large of Poultry or Livestock within the Limits of the Town of Wyoming.
 - Repeal of Ordinance #74 An Ordinance to Prohibit the Theft of Town Trash Collection Service.
 - Ordinance #7-11 An Ordinance to Prohibit the Theft of Town Trash Collection Service
 - Repeal of Ordinance #P-4 An Ordinance Relating to the Cleaning Up of Animal Nuisance in Public Areas of the Town or in Buildings within the Limits of the Town of Wyoming
 - Ordinance #8-11 An Ordinance Relating to the Cleaning Up of Animal Nuisance in Public Areas of the Town or in Buildings within the Limits of the Town of Wyoming
 - Repeal of Ordinance #11 An Ordinance Making It Unlawful for Any Person, Firm, or Corporation to Leave Any Rubbish or Ashes or Offal in the Public Streets within the Limits of the Town of Wyoming Except for the Purpose of Garbage Collection and Providing a Penalty Therefor
 - Repeal of Ordinance #13 An Ordinance Providing for the Registration of Dogs of Either Sex and Providing a Penalty for Failure to Register Same
- Last month the renewal of the \$50,000.00 Line of Credit the Town of Wyoming has with the First National Bank of Wyoming was discussed and approved. The bank has notified us that they need a resolution from us. Mayor Rife submitted a Resolution #1-11 to Council. *Ms. Greenwood made a motion to approve the resolution. Ms. Stokes seconded the motion. All in favor; none opposed.*

GOOD NEWS

- Mayor Rife awarded a Certificate of Appreciation to Mr. Frank King for his work as the liaison between the Peach Festival Committee and the Kent County Fire Police for the Peach Festival Parade.
- A Certificate of Appreciation was also awarded to Leslie States and the members of the Kent County Fire Police for the excellent job they all did directing traffic for the Peach Festival Parade.
- Alex Paitzel received a Certificate of Appreciation for the time and energy he has put into helping Lew at the Wyoming Park both picking up trash and cleaning the bathrooms.
- The Town of Wyoming was awarded the Open Government Award by the League of Women Voters of Kent County.
- Town Clerk Pam Haddick was awarded a Certificate of Appreciation for her work and dedication to the Town of Wyoming by the Mayor and Council.

CORRESPONDENCE

- All correspondence is on file at Town Hall if anyone is interested in seeing it.

CALENDAR OF EVENTS

- A. Town Council Meeting – 11/7/11, 7:30 pm, Annex
- B. Planning & Zoning – 10/11/11, 7:30 pm, Annex
- C. CWSWA – 10/11/11, 7:00 pm, CWSWA office
- D. Special Town Council Meeting – 10/25/11, 7:30 pm, Annex
- E. Halloween – 10/31/11, 6:00 to 8:00 p.m., Wyoming Park

PUBLIC COMMENTS

- Gene McFann questioned what was going on with Grant Street and parking. Lt. Willey said he is going on a fact finding mission to see what happened in the past. Mr. McFann said he just wants to be sure there won't be any more surprises. Mr. Marasco spoke up that when he was mayor he met with a representative from the fire company, Mr. Mike McFann, Mr. Joe Falasco, Mr. Bill Spruill and Ms. Melendez from Del-DOT. It was decided to move the signs back past Falasco's, and compromise by painting the yellow lines longer.
- Gene McFann also asked about a traffic light at the entrance of the W. B. Simpson School. Lt. Willey stated that there were no plans for one at this time.
- Richard Stockslager asked why there were still road construction signs at Front & RR Avenue – even though the school is open now, there is still road work to be done so the signs are still up.
- Mike Marasco asked about the dead tree at Johnson Square – Lew is aware of the dead tree; he will get to it as soon as he finishes the clean-up from Hurricane Irene.
- Tracy Greenwood asked for an explanation as to why she could not request adding something to the agenda at the beginning of the meeting when the mayor has done so herself. Mayor Rife explained to her that if something important comes up just prior to the meeting, it can be added to the agenda at the last minute but issues that have been discussed before must be added to the agenda when it is posted 7 days prior to the meeting.
- Mike Marasco asked if the accident involving an SUV going into the ditch at the bridge on N. Layton Avenue was alcohol related. Lt. Willey stated that it was believed it may have

been as the driver had been seen drinking in the bar earlier that day, but it could not be proven.

Ms. Stokes made a motion seconded by Mr. Witt to adjourn the meeting. All in favor; none opposed.

The meeting adjourned at 9:37 p.m.

Respectfully Submitted,
Pamela Haddick, Town Clerk